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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,906	07/21/2003	Franciscus Gerardus Johannes Claassen	D/A3211	7673

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EXAMINER

HOANG, ANN THI

ART UNIT PAPER NUMBER

2836

DATE MAILED: 12/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/623,906

Applicant(s)

CLAASSEN, FRANCISCUS
GERARDUS JOHANNES

Examiner

Ann T. Hoang

Art Unit

2836

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 November 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: Amended claims are identical to pending claims. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1,2,7-11 and 16-20.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


BURTON S. MULLINS
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Regarding Applicant's argument that claim 1 is not obvious in view of Wright for reasons of the "coupled-inductor topology" of Wright being different from the magamp control of the secondary circuit of the claimed invention, and that Fig. 1B of Wright shows a magamp feedback loop for the main circuit instead of the secondary circuit: Examiner asserts that, although Fig. 1B shows the magamp feedback loop in a circuit with a 12V output, which would appear to correspond to the main circuit with a 12V output of Fig. 3, the disclosure of the magamp feedback loop would suggest to one of ordinary skill in the art that magamp controllers provide "good regulation...to maintain the output voltage within a specified voltage range under most load conditions," (see 3:10-34) and in general provide effective regulation of output voltage to power supplies regardless whether the circuit was main or secondary. Also note that the arrangement of the main and secondary circuits are largely similar in Figs. 2 and 3 of Wright. Thus, the disclosure of the magamp controller of Fig. 1B would motivate one of ordinary skill in the art to use a magamp controller as feedback in a power supply circuit regardless of whether the power supply circuit was main or secondary, and the magamp controller would conceivably be used as feedback for a secondary circuit in instances where the quality of output voltage regulation offered by a magamp controller was a priority over cost effectiveness. Since the feedback circuit of the secondary circuit in Fig. 3 of Wright is used for "out-of-control" situations in the secondary circuit (see 10:47-56), Wright does not teach away from an "out of control" recitation, and replacement of the shown feedback circuit with a magamp controller, such as that in Fig. 1B, would remove the output of the feedback control signal to the input side of a main transformer of Fig. 3 and replace it with the magamp control for overcoming "out-of-control" situations. Regarding Applicant's argument that claim 1 recites a preload circuit outputting to both the first and second terminals and an effective magamp control of both outputs, Examiner asserts that claim 1 recites a preload circuit including an output directly to the second terminal, without mentioning an output from the preload circuit directly to the first terminal.